

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. By the present amendment, Claims 2, 4, 6, 12, 13, 16, 21, 33, 37, 38, 41, 49 and 77 are amended. New claims 78-90 have been added. Claims 1 and 11 have been canceled without prejudice. Accordingly, claims 2-10 and 12-90 stand pending in this application. Review and reconsideration is respectfully requested.

Applicant appreciates the Examiner's allowance of claims 54-76 and 78-79. Applicants also appreciate the Examiner's further indication of allowable subject matter with respect to claims 2-10 and 12-53. The Examiner objected to claims 2-10, 12-36, 41-47 and 49-53 as being dependent upon a rejected base claims, but indicated the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2, 4, 6, 33, 41 and 49 have each been rewritten in independent form including limitations of claim 1 from which each claim depends. Accordingly, it is believed that claims 2, 4, 6, 33, 41 and 49 are now in condition for allowance. It is further believed that claims 3, 5, 7-10, 34-36, 40, 42-45, 47, 48 and 50-53 are in condition for allowance as depending directly or indirectly from one of claims 2, 4, 6, 33, 41 and 49. Claims 12, 13, 16 and 21 have each been rewritten in independent form including the limitations of intervening claims 1 and 11. Accordingly, it is believed that claims 12, 13, 16 and 21 are in condition for allowance. It is further believed that claims 14, 15, 17-20, 22-32 and 46 are in condition for allowance as depending directly or indirectly from one of claims 12, 13, 16 and 21.

The Examiner rejected claims 37-40 and 48 under 35 U.S.C. § 112, second paragraph,

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as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner states that “the plungers” at line 2 of claim 37 and claim 40 lacks proper antecedent basis in the claims.

Claim 37 has been amended claim 37 to change “the plungers” to --plungers-- to address the concerns raised by the Examiner. Applicant has further amended claim 40 to change “the plungers” to --the pair of plungers-- to provide proper antecedent basis with the pair of plungers recited in claim 36 from which claim 40 depends. As the Applicant has addressed the concerns raised by the Examiner, Applicant respectfully requests withdrawal of the corresponding rejections of claims 37 and 40 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

The Examiner further rejects claims 38 and 48 as being confusing since it is unclear how “a pair of plungers” set forth at line 2 of the respective claims relates to “the plungers in the canisters” recited in claim 37 (which claim 38 depends) and in claim 40 (which claim 48 depends). Claim 38 has been rewritten in independent form. Accordingly, Applicant respectfully requests withdrawal of the corresponding rejection of claim 38. With respect to claim 48, it is noted that the phrase “a pair of plungers” does not appear in line 2 of claim 48. Accordingly, Applicant respectfully requests withdrawal of the corresponding rejection of claim 48.

The Examiner stated that claims 37-40 and 48 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, and to include all of the limitations of the base claim and any intervening claims. As set forth above, Applicants have overcome the rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Moreover, claim 37 has been rewritten in independent form to include the limitations of claim 1 from which it depends. In

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addition, claim 38 has been rewritten in independent form to include the limitations of claims 1 and 37 from which claim 38 depends directly or indirectly. Applicants therefore respectfully request allowance of independent claims 37 and 38. Applicants further request allowance of claims 39, 40 and 48 as Applicant has addressed the concerns raised by the Examiner.

The Examiner rejected claims claims 1 and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,062,443 to Smrt. The Examiner further rejected claim 77 under 35 U.S.C. 103(a) as being unpatentable over Smrt in view of U.S. Patent No. 5,441,583 to Eaton et al. Applicant respectfully traverses these rejections. However, in an effort to expedite prosecution of this application, claims 1 and 11 have been canceled without prejudice. Applicant reserves the right to further pursue these claims in a continuing application. Claim 77 is now believed to be in condition for allowance as depending from allowable claim 2.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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Respectfully submitted,  
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